

REMARKS

In the Office Action of March 26, 2008, claims 1-7, 9-11, 13 and 14 were rejected under 35 U.S.C. 102(a) as being anticipated by the pre-grant publication of Bode, U.S. Pat. Pub. No. 2003/0021922.

Claims 1-7, 9-11, 13 and 14 were also rejected under 35 U.S.C. 102(a) as being anticipated by, or under 35 U.S.C. 103(a) as being obvious in view of Echols, U.S. Pat. Pub. No. 2002/0178582.

Claim 12 was rejected as being obvious under 35 U.S.C. 103(a) in view of Bode.

In reply to this action, an amendment to the claims is submitted herewith, in which claims 1, 5, 6, 9 and 10 have been amended to more particularly point out and distinctly claim the features of the invention which distinguish from the prior art.

In summary, the Office action maintained the basis of the rejection stated in earlier actions that the outer cover of Bode is capable of collapse, and therefore is "collapsible."

It is submitted that a well screen designed in accordance with Bode, would inevitably be designed in light of the expected external pressures applied to such a well screen. The person of ordinary skill would not consider Bode to provide a well screen that would collapse in the appropriate circumstances, and so would not consider the outer cover collapsible.

According to the reasoning in the Office action, anything is collapsible if sufficient pressure is applied. This reasoning suggests "collapsible" is not a limitation under any circumstances. This is, of course, incorrect. The person of ordinary skill would not be considering external pressure so significantly in excess of a normal application of a well screen that would allow the outer

cover of Bode to collapse. This is clear from the disclosure in Bode at [0029].

Bode clearly intends the outer cover to "...withstand the down hole radial pressures...", and so not collapse.

We submit that interpretation of the claims in light of the prior art is within the context made clear by the specification, as read through the eyes of the person of ordinary skill in the art. This person would understand the outer cover of Bode to "withstand" the pressure, and so he would understand that it isn't collapsible.

To make this distinction clearer, a further amendment has been made to claims 1, 5, 6, 9 and 10, wherein:

"...said collapsible outer cover having a construction which is less rigid than the construction of the outer stand-off layer..."

If the Examiner considers the outer cover of Bode collapsible, and that this outer cover is the main structural component of Bode, then none of the subsequent layers of Bode could be disclosed to be of more rigid construction than the outer cover. Whilst not using these words, Bode is of an "exo-skeletal" construction having an outer cover more rigid than the inner layers. We submit that Bode does not disclose that any of the inner layers are more rigid than the outer cover, and that any interpretation of the outer cover being able to "withstand" the applied radial pressure must be consistent with this.

By clearly defining the collapsible outer cover of the present invention being less rigid than the stand-off layer, the present invention is using an "endo-skeletal" construction. Again, these terms are not used in the specification but are offered to assist

the Examiner is understanding the differences between Bode and the present invention.

Support for this amendment is provided in paragraph [0033] whereby on collapsing of the protective screen, the gap between the protective cover and filter medium is maintained by the outer stand-off layer. For the stand-off layer to maintain this gap following the collapse, it must be more rigid than the protective cover.

We submit that either Bode does not have a collapsible outer cover, or the outer cover is of more rigid construction than the inner layers. In either case, claims as amended are novel over the disclosure of Bode.

With reference to Echols et al, precisely the same argument applies, as was previously argued. The shroud "...provides radial support to prevent collapse of the well bore..." [0030]. As previously submitted, this does not include a collapsible outer cover similar to the present invention. Further, in line with the current amendments, the shroud must be of more rigid construction than the inner layers in order for this to be achieved. The skilled person would not believe a more rigid stand-off layer, similar to the present invention, would be used if the shroud was intended to solely bear the applied radial pressure.

We therefore submit that the present invention is novel over both Bode and Echols. Further, none of the citations provide for a collapsible outer cover, and so we further submit the present invention is also inventive in light of the cited art.

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CONCLUSION

In view of the amendment and remarks, reconsideration of the application is respectfully requested. After the amendment, claims 1-7 and 9-14 are now pending and a Notice of Allowance for these claims is respectfully requested.

Respectfully submitted,

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